

MINUTES OF THE FIRST MEETING OF THE DRAINAGE BOARD

OAKLAND-MACOMB INTERCEPTOR INTERCOUNTY DRAIN DRAINAGE DISTRICT

July 14, 2009

Minutes of a regular meeting of the Drainage Board of the Oakland-Macomb Interceptor Intercounty Drain Drainage District held at the offices of the Oakland County Water Resources Commissioner, Public Works Building 95 West, One Public Works Drive, Waterford, Michigan on the 14th day of July, 2009, at 3:00 p.m., Eastern Daylight Savings Time.

PRESENT: Members Anthony V. Marrocco, Macomb County Public Works Commissioner (MCPWC) ; John P. McCulloch, Oakland County Water Resources Commissioner (OCWRC) ; and Michael R. Gregg, Deputy for Don Koivisto, Director of the Michigan Department of Agriculture

ABSENT: None

OTHERS PRESENT: Paul Gielegghem, Chairperson, Macomb County Board of Commissioners; Bill Bullard, Jr., Chairperson Oakland County Board of Commissioners; Thomas F. Middleton, Finance Chairperson Oakland County Board of Commissioners; William Misterovich, Chief Deputy Macomb County Public Works Commissioner; Kevin R. Larsen, Chief Deputy, Oakland County Water Resources Commissioner; Craig Hupp, Legal Counsel; Joseph W. Colaianne, OCWRC Attorney and Insurance Administrator; James Pistilli, P.E., Asst. Chief Engineer, MCPWC; and Gene Schabath, Deputy MCPWC; Douglas Buchholz, P.E. OCWRC Director of Operations; Michael McMahon, P.E., OCWRC Engineer.

PUBLIC COMMENT

Meeting Chairperson Gregg opened the meeting for comment by the public. No member of the public appeared to comment.

BUSINESS

1. Receipt of Petition and Preliminary Finding.

Mr. Gregg, indicated: (a) a petition which was filed with the Director of the Michigan Department of Agriculture on June 18, 2009 by the Charter Township of Clinton of Macomb County, through the Macomb County Public Works Commissioner, and on June 22, 2009 by the Charter Township of Independence of Oakland County, through the Oakland County Water Resources Commissioner, to locate, establish, and construct an intercounty drain, the proposed Oakland-Macomb Interceptor, pursuant to the provisions of Chapter 21 of Act 40 of 1956, as amended (the "Drain Code"), for the purpose of acquiring sanitary sewer interceptors and ancillary facilities from the City of Detroit and making improvements thereto, as described in such petition (the "Project") and (b) a Preliminary Finding of the Director of the Michigan Department of Agriculture dated July 2, 2009 regarding the counties which include public corporations that should be assessed under the provisions of Chapter 21 of the Drain Code for the cost of the proposed drain.

In addition, pursuant to Section 514 of the Drain Code, a drainage board is created for the Project consisting of the Director of the Michigan Department of Agriculture, the Macomb County Public Works Commissioner and the Oakland County Water Resources Commissioner; and in accordance with Section 517 of the Drain Code, the drainage board is to meet for the purpose of selecting a secretary, who shall also act as the secretary of the augmented drainage board created under Section 515 of the Drain Code.

2. Selection of Secretary for the Drainage Board:

Mr. Misterovich suggested that the Drain Board Secretary should be rotated every five (5) years between Oakland and Macomb Counties. It was also mentioned that typically the county with the larger apportionment generally acts as the secretary/treasurer for the drain district.

Motion by Member Marrocco, seconded by Member McCulloch to have Oakland County serve as first secretary for the Drainage Board with the understanding that within the five (5) years the counties will consider the development of a process for the transition of the administration of the drainage board and evaluate the feasibility of rotating the secretary every five (5) years.

AYES: Marrocco, McCulloch, Gregg

NAYS: None

3. Transfer of Records.

Motion by Member McCulloch, seconded by Member Marrocco to transfer all records of drainage board proceedings to date to the Secretary.

AYES: Marrocco, McCulloch, Gregg

NAYS: None

4. Other Business: Insurance for Project.

Member McCulloch indicated that given the scope and nature of the project, and the fact that we are under time constraints that a committee should be established to evaluate and provide recommendations regarding the insurance needs for planned Drainage District projects.

Motion by Member McCulloch, seconded by Member Marrocco, to establish a staff committee comprised of Joseph Colaianne OCWRC Attorney & Insurance Administrator, William Misterovich, Chief Deputy MCPWC and Craig Hupp, legal counsel evaluate the insurance needs for planned Drainage District projects and recommend to the Drainage Board at its next meeting the types and amounts of insurance coverage the Drainage Board should obtain.

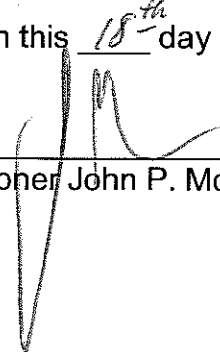
AYES: Marrocco, McCulloch, Gregg

NAYS: None

There being no further business to come before the meeting, the meeting was adjourned.

I hereby certify that the foregoing constitutes the Minutes of the Proceedings of the Drainage Board for the Oakland-Macomb Interceptor Intercounty Drain Drainage District, at a meeting held on July 14, 2009, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

I have hereunto fixed my official signature on this 18th day of August, 2009.



Commissioner John P. McCulloch, Secretary